



## Appeal Decision

Site visit made on 25 November 2025

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 January 2026.

### **Appeal Ref: 6000844**

### **The Horse and Jockey, Church Street, Whitchurch SY13 1LB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by David English against the decision of Shropshire Council.
- The application Ref is 25/00653/FUL.
- The development proposed is for the erection of 4 No two storey terrace dwellings and 1 No pair of two storey semi-detached dwellings, 6 car parking spaces and formation of new vehicular access following demolition of Horse and Jockey Public House.

### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is the effect of the proposal on the non-designated heritage asset, the surrounding conservation area, and the setting of two listed buildings.

### **Reasons**

3. The appeal site sits within the Whitchurch Conservation Area (the WCA) and is closely related to the Grade I listed Church of Saint Alkmund and the Grade II listed No 20 Saint Marys Street. The WCA covers the historic core of Whitchurch comprising a mixture of residential and commercial properties. With the exception of Saint Alkmund's the buildings surrounding the appeal site are primarily built of brick with some examples of timber frames and a number of buildings having been painted. The appeal building sits prominently at the junction between Church Street, St Marys Street and Claypit Street. I find the significance of the WCA arises in part from its ability to demonstrate the historic core of a market town with regards to its layout and the retained historic buildings, as well as the changing needs and wealth of its residents.
4. The Church of Saint Alkmund is a large early-18<sup>th</sup> example built in sandstone. It is a tall feature that's prominence along the surrounding roads is increased by its modestly elevated position above the surrounding ground levels. The church's significance stems from its age, design and positioning that sets it as a focal point of the centre. No 20 St Mary's Street is an early, 16<sup>th</sup> or 17<sup>th</sup> century dwelling, a more modest building that has been remodelled in the Gothick style. Along with its age, this property shows the development and evolution of tastes and needs.
5. The host building itself, the former Horse and Jockey public house, is accepted by both parties as being a non-designated heritage asset (NDHA). It is a fairly linear building sitting perpendicular to Claypits Street and built in red brick, it presents to

Church Street as three elements. The right-most element is two-storeys served by a roof that turns around the corner to Claypits Street. Although the middle section is two-storeys, it is the lowest element and the roof pitch is steeper to meet the ridgeline of the right-most section. The final section is three-storeys, containing a window in the gable end facing St Alkmund. This section is also the most ornate with brick quoins and brick dressing around the windows and roof. Attached to this section is what appears to be a later first-floor projection in mock timber frame.

6. At the time of my visit, it was clear that the building had not been in use for some time and it was not possible to gain safe entry into the building. Nevertheless, I understand that much of the inside of the building has been lost. Notwithstanding this, I find the building still provides a positive contribution to the WCA and the setting of the above-mentioned listed buildings. I find that the major element of the building's interest stems from its age and relationship with the surrounding area, including as a result of its positioning, materials and external appearance. These elements add to the legibility of the surrounding area and its history.
7. To the rear of the site is an additional L-shaped building which appears to have formerly been a stable and storage. Although I was able to view inside this building, due to significant ivy growth, the outside was greatly hidden. It appeared from my observations, mindful of the visible materials and construction method, that this building was also of some age. I consider this building also makes some contribution to the understanding of the site and its contribution to the wider WCA.
8. The proposal would result in the complete loss of the public house, as well as the L-shaped building. Their local interest and the significance of the NDHA would therefore be lost entirely. Moreover, as these buildings contribute to the WCA and the setting of the above two listed buildings, this contribution would also be lost to the detriment of their significance and interest. Harm would, therefore, occur not only to the NDHA but also to these designated heritage assets.
9. This harm would be further exacerbated by the proposed dwellings which are relatively modern in the design and, from the details available to me, nondescript in their detailing. Of particular note is that the traditional features present on the existing public house and within the surrounding area are not obviously reflected in the designs of the proposed dwellings. Lacking sufficient details, I cannot be certain that the proposed doors and fenestration, the roofing or brickwork would be sympathetic to the conservation area. The two properties prominently located at the front of the site are particularly incongruous given their staggered arrangement and that they would present a long blank wall along Claypits Street with a shallow roof slope above. The site's proposed layout would also not follow the pattern of development characteristic of the surrounding streets and wider WCA. Although it would mirror that of the modern block of flats, they do not make a positive contribution to the WCA or set a precedent for similar development.
10. Against this background, and given the scale of the development, I find that a high degree of less than substantial harm would occur to the significance of the designated heritage assets noted above. Although less than substantial, the National Planning Policy Framework (the Framework) is clear that great weight should be given to any asset's conservation. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.

11. The Government's objective is to significantly boost the supply of housing, and the proposal would provide six new dwellings in a location with good access to services. It would also lead to a small and time limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. Collectively these matters are public benefits. However, given the small scale of the proposal they form only a moderate public benefit which, in the circumstances of this case, do not outweigh the harm to the designated heritage assets.
12. It was clear during my site visit that as part of the building's deterioration it has had become significantly overgrown with ivy and there was also damage to the windows and rooves which meant the building is unlikely to be weathertight. I am also mindful of the vandalism suffered at the site. I note in relation to this, the Council's suggestions that the building has been deliberately neglected during the long period it has been unoccupied. However, I have found the building to retain its significance and that harm would result from its loss and replacement. This matter would not, therefore, be determinative in my assessment and so I have not considered this matter further.
13. Moreover, the appellant's Structural Inspection report sets out potential remedies to a number of issues and concludes only that it would not be cost effective to repair and reuse the building. It is not clear whether this conclusion took account of the building's historic significance as part of the assessment of cost effectiveness.
14. The proposal would result in an unacceptable impact on the significance and interest of the non-designated heritage asset, the surrounding conservation area and the two listed buildings. No public benefits have been identified that outweigh this harm and therefore the proposal conflicts with Policies CS3, CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy and Policies MD2 and MD13 of the Site Allocations and Management of Development Plan. These collectively, and amongst other matters, seek to avoid the loss of significance to both designated and non-designated heritage assets, and their settings, through sympathetic, high-quality design that protects and enhances the historic environment and local context. The proposal also conflicts with the Framework, including Chapter 16 and Paragraphs 212 and 215 which collectively seek to protect heritage assets and weigh any harm against public benefits.

### **Other Matters**

15. The appellant submits that the public house would not have long-term viability due to the presence of other existing public houses within Whitchurch. However, I have not been provided with sufficient evidence to demonstrate whether this would be the case. Nevertheless, the lack of financial evidence for the loss of a public house is not directly relevant to the matter upon which this appeal turns, effect on the historic environment, and it has not, therefore, been determinative in my considerations.
16. I have found harm to designated and non-designated heritage assets resulting from the proposed development. As such, the appeal must fail and therefore any potential harm to the RAMSAR site would not occur and thus there does not need to be any means of mitigation in place. I therefore do not need to consider the matter further.

17. The appellant has drawn my attention to an appeal<sup>1</sup> allowing the demolition and replacement of a non-designated heritage asset and I note the comparisons made. However, having considered the available details of that scheme, I find that it significantly differs to the case before me. In particular, the replacement of that building was deemed acceptable as it was found that the significant historic features of interest had already been lost. This example has therefore had no substantive bearing on my assessment of this proposal. Moreover, proposals must be determined on their own individual merits as I have done in this case.
18. The appellant has set out the current position of the Draft Shropshire Local Plan 2016-2038 and that it was recommended the Council withdraw the plan or would be refused. However, given the policies that were used within the Council's reason for refusal this matter has not been particularly relevant to this appeal.

### **Planning Balance and Conclusion**

19. Both parties agree the Council cannot demonstrate a five-year housing land supply. However, the Framework provides a clear reason for refusing the development, harm to designated heritage assets, and therefore the proposal does not benefit from the presumption in favour of sustainable development.
20. The proposal would result in harm to both designated and non-designated heritage assets as noted above. The proposal therefore conflicts with the development plan taken as a whole and the Framework provides a clear reason for refusal on heritage grounds.
21. Above I have identified the benefits of the scheme as part of my assessment relating to heritage assets. These are, namely, that the proposal would provide six new dwellings, be in an accessible location, and provide economic and social benefits. These matters therefore weigh in support of the appeal proposal.
22. Overall, and while mindful of the Council's under provision of housing, I find that the adverse impacts of the proposal are matters of significant and overriding weight against the grant of planning permission.
23. The proposal would therefore conflict with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal is dismissed.

*Samuel Watson*

INSPECTOR

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<sup>1</sup> Reference: APP/L3245/W/22/3300054